

WILLIAM J. BRADY, M.D.
503/297-1536
1750 SW SKYLINE BLVD., SUITE 120
PORTLAND, OREGON 97221

Gregory K. Markham
Attorney at Law
Chee & Markham
1001 Bishop Street, Suite 1000
Honolulu, Hawaii 96813

Tuesday, September 19, 2006

Re: Death of Mitsuko Fukuoka
Your claim Number A02AG138
Your file No: GNC 077-2002

Dear Mr. Markham:

At your request I have reviewed multiple reports and photos on Mrs. Fukuoka's death. These include the report of Gayle Suzuki M.D.'s August 19, 2002 autopsy, the Castle Medical Center hospital records of her treatment, State of Hawaii Diving accident report 03-0225-OA, answers to interrogatories by Robert D. Kawamura attorney and multiple translated medical records of Mrs. Fukuoka.

Dr. Suzuki's autopsy clearly establishes that Mrs. Fukuoka had severe, long standing cardiovascular disease. Her heart was enlarged and showed heart muscle changes not only from past "heart attacks", but from recent episodes, according to the autopsy report, in the time frame of her underwater collapse.

I believe that because of her severe cardiovascular disease, she was clearly an "at risk" person with a high potential for a very unfavorable response to this type of underwater activity.

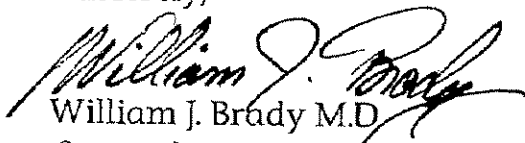
Her hospital records also contain laboratory test reports characteristic of a person with an acute inflammatory illness.

EXHIBIT 1

Re: Death of Mitsuko Fukuoka
Your file No: GNC 077-2002
Dr. Brady Page 2
September 19, 2006

I believe, with reasonable medical probability, that the descriptions of her collapse and subsequent activities, combined with her treatment records information, confirm that Mrs. Fukuoka initially suffered an episode of myocardial ischemia. Since she then collapsed while underwater, she lost the oxygen supply to her brain and died as a direct consequence of her heart attack.

Sincerely,


William J. Brady M.D.
September 19, 2006

enclosures : WJB curriculum vitae, rate sheet
wjb:map

Curriculum Vitae

William John Brady M.D.

1750 SW Skyline Blvd., Suite 120
Portland, Oregon 97221-2544
503 / 297 1536 FAX 503 / 546-3476
email treeview@integra.net

expertise

Fatal and nonfatal injury correlations
Autopsy and death investigations civil and criminal
Alcohol and drugs: tests, manifestations and effects

medical licensure

Oregon -active
Washington, California and New York - inactive

medical education

University of Oregon Medical School
Doctor of Medicine 1958

honors

Alpha Omega Alpha medical honor society

undergraduate education

University of Santa Clara
Bachelor of Science, biology and chemistry 1953
honors cum laude

professional certification

American Board of Pathology forensic pathology 1968
American Board of Pathology anatomic pathology 1963
American Board of Pathology clinical pathology 1963

professional experience

Legacy Health System, affiliated Pathologist Metro Lab,
and Meridian Park hospitals 1985 - present
Oregon State Chief Medical Examiner 1969 - 1985
Multnomah County Coroner - Pathologist 1965 - 1969
New York City Deputy Medical Examiner
Manhattan office 1963 - 1964
Oregon Medical School pathology resident 1961 - 1963
Harvard Medical School (Deaconess Hospital) pathology
resident 1959 - 1961
George Washington Medical School intern 1958 - 1959

publications

Author: An Outline of Death Investigation, third edition,
two hundred and fifty pages -1982

William John Brady M.D. Continued

trial experience

Qualified as an expert medical witness in state trial courts
Alaska, Arizona, California, Hawaii, Idaho, Indiana, Kansas,
New York, Oregon and Washington

Qualified as an expert medical witness in federal courts

Oregon, Washington, Idaho and Wyoming

Qualified as an expert medical witness in provincial courts

British Columbia, Canada

autopsies

Eleven thousand autopsies performed personally

Five thousand autopsies additionally observed or assisted

Twenty thousand death certificates signed

teaching

University of Oregon Medical School, clinical professor,
department of pathology 1965 - 1992

National Judicial College, lecturer on scientific evidence

National College of District Attorneys

Lewis and Clark college of law

Willamette University college of law 1968 - 2004

Oregon Police training academy 1965 - 1985

Alaska State Police training academy 1970 - 1975

appointments

Oregon Supreme Court State Bar disciplinary board 1990

Reappointed by the Court to the disciplinary board 1994

Governor Victor Atiyeh to the Oregon State crime
commission 1982

Governor Tom McCall to the Oregon State law
enforcement council 1969

National Association of Medical Examiners
board of directors 1970

memberships

American Academy of Forensic Science, fellow

Oregon State Pathologists ' Association

military service

Second lieutenant, United States Army Artillery

Captain, United States Medical Corps, USAR

Honorable discharge, 1965

William J. Brady, M.D.

Expert witness testimony at trial or by deposition

<u>Plaintiff</u>	<u>Defendant</u>	<u>Attorney</u>	<u>Category</u>	<u>Testimony</u>	<u>Trial date</u>	<u>Location</u>	<u>Called by: P/D</u>
State of Washington vs. Braae, Michael		Smith, Richard	Criminal	Trial	5/4/2006	Yakima	D (Brady)
State of Washington vs. Savoie/Bakin		Smith, Randy W	Criminal	Trial	4/24/2006	Ephrata	D (Brady)
State of Washington vs. Gamble, Jacob		Sowder	Criminal	Trial	11/7/2005	Vancouver	D (Brady)
State of Oregon	Barbosa-Salgado,	Koenig	Criminal	Trial	10/5/2005	Eugene	D (Brady)
Lamb, Jeff vs.	Benton County /	Wagner, Bob	Civil	Trial	9/29/2005	Corvallis	D (Brady)
Estate of Hollis Moore	Insurance Co.	Chance, Steve	Civil	Trial	9/5/2005	Bellingham WA	P (Brady)
State of Oregon vs.	Templeton, Michael	Iunder, Paul	Criminal	Trial	09/02/2005	Salem	D (Brady)
State of Washington vs. Giamino-Valdovinos,		Walker, Brian	Criminal	Trial	7/28/2005	vancouver	D (Brady)
State of Oregon	Clement, Michael	Worann	Criminal	Trial	7/7/2005	Clackamas County	D (Brady)
James, Kendra, estate of	City of Portland	Warren Bottoms	Civil	Trial	7/5/2005	Portland	P (Brady)
State of Oregon vs.	Eckert, James	Bassel	Criminal	Trial	6/28/2005	Hillsporo	D (Brady)
State of Oregon vs.	Harris / Beverage	Faber/Vogl	Criminal	Trial	6/21/2005	Clatsop County	D (Brady)
Alan Cler vs.	Oregon Hematology /	Hendrick	Civil	Trial	6/9/2005	Portland	P (Brady)
State of Oregon	Heuberger, Scott	Wyatt, Gig	Criminal	Trial	5/27/2005	Salem	D (Brady)
Curtis Estate vs.	McHugh	Ragland, Andrew	Civil	Trial	5/17/2005	Portland	P (Brady)
State of Washington vs. McBain, Christafer R.		Sowder, James	Criminal	Trial	5/5/2005	Vancouver	D (Brady)
Haggard, Estate of	Trucking Co	Furniss	Civil	Trial	4/5/2005	Pendleton	P (Brady)
Estate of Janette	Levin	Rogers, Richard	Civil	Deposition	3/24/2005	Portland	P (Brady)

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Breed vs.	Gardner, Hughes &	Devlin, Greg	Civil	Trial	3/5/2005	Winthrop WA	D (Brady)
Max Lehman vs.	Gresham Police Dept.	Engle, Barry	Civil	Trial	3/01/2005	Gresham	P (Brady)
State of Oregon vs.	Jones Kenneth Harold	O'Neill	Criminal	Trial	02/07/2005	Benton County	D (Brady)
Matteucci, Est of Fred	Fleetwood Trailers	Davis, Susan	Civil	Deposition	2/5/2005	Everett WA	P (Brady)
State of Oregon vs.	Melia, Luis	Calhoun, Joe	Criminal	Trial	1/5/2005	Portland	D (Brady)
State of Oregon vs.	Venne, Ryan	Cross, Dan	Criminal	Trial	12/16/2004	Hillsboro	D (Brady)
Keiter vs.	Dow, Good Sam Hosp	Miller, Dave	Civil	Trial	12/2/2004	Portland	P (Brady)
City of Medford vs.	Fitzgerald, Adrienne	Lanier, Angie	Civil	Trial	11/12/2004	Medford	P (Brady)
Burke Estate vs.	Bailey	Eyeman	Civil	Deposition	10/11/2004	Vancouver	P (Brady)
State of Oregon	Brown, Joshua	Dials, Bill	Criminal	Trial	9/22/2004	Coos Bay	D (Brady)
Van Hee (Grosch) vs.	Richards	Glampa	Civil	Trial	9/4/2004	Vancouver	D (Brady)
State of Oregon vs.	Rambert, Patrick	Silver, Geoffrey S.	Criminal	Trial	8/18/2004	Portland	D (Brady)
Uzun, Yassar vs.	Wilder, Eliwood	Bachofner, John	Civil	Trial	7/4/2004	Portland	D (Brady)
State of Oregon vs.	Haley, Nicholas	Connall	Criminal	Trial	6/25/2004	Portland	D (Brady)
Skanks, Tara Estate vs.	Sacred Heart Medical	Baker, James	Civil	Deposition	6/2/2004	Spokane	P (Brady)
Marian Clark Est vs.	Good Sam Hosp & Dr.	Whitehead, Brian	Civil	Trial	5/4/2004	Corvallis	P (Brady)
State of Washington vs.	Gonzalez, Jose Luis	Gorton/Dunn	Criminal	Trial	3/25/2004	Vancouver	D (Brady)
State of Washington vs.	Cassell, Robert Wesley	Lowe, Tony	Criminal	Trial	3/2/2004	Vancouver	D (Brady)

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Dollowitch vs.	Valley Hauling	Mitchell, Chuck	Civil	Trial	1/29/2004	Portland	P (Brady)
Pfau, Jason vs.	City of Portland	Vogt, Randy	Civil	Trial	1/28/2004	Portland	P (Brady)
State of Oregon vs.	Holliday, Tonia Marie	Butterfield	Criminal	Trial	1/13/2004	Washington Co.	D (Brady)
State of Oregon vs.	Navarro, Alberto	Storkel	Criminal	Trial	12/22/2003	Salem	D (Brady)
State of Hawaii vs.	McGovern, John	Shigetomi	Criminal	Trial	12/15/2003	Hilo, Hawaii	D (Brady)
State of Oregon vs.	Berg, Billie	Porter, Anna	Criminal	Trial	12/11/2003	Portland	D (Brady)
State of Oregon vs.	Loe, Che Allen	Bassel	Criminal	Trial	10/29/2003	Washington County	D (Brady)
State of Oregon vs.	Jinings, Joe	Lindsey (Connall)	Criminal	Trial	9/5/2003	Portland	D (Brady)
State of Oregon	Kinck, Marian	Kimmell, Adam	Criminal	Trial	8/14/2003	Hillsboro	D (Brady)
State of Oregon vs.	Duenas, Oscar	Scholl	Criminal	Trial	7/29/2003	Hillsboro	D (Brady)
State of Oregon vs.	Lopez-Chavez,	Manning	Criminal	Trial	7/24/2003	Washington Co.	D (Brady)
Gonzales, Maria vs.	Kadwell DO Craner	Sugerman, David	Civil	Trial	7/10/2003	Willamette Falls	P (Brady)
State of Washington vs.	Easley, Jermaine	Brace, Michael	Criminal	Trial	6/13/2003	Clark Co.	D (Brady)
Jackman, Lisa vs.	Dickman, Michael	Sinnott	Civil	Trial	6/3/2003	Portland	D (Brady)
Cheep and Callow vs.	Grant Co. PUD	Sonn / Smith	Civil	Deposition	6/3/2003	Wenatchee WA	D (Brady)
Cousin, Michael vs.	City of Canby	Mowery, Bruce	Civil	Trial	5/22/2003	Canby	D (Brady)
State of Oregon	Ryding, Robert C	Raney	Criminal	Trial	4/24/2003	Washington County	D (Brady)
State of Oregon vs.	Nobel, Joseph	Bassel, Ray	Criminal	Trial	4/3/2003	Hillsboro	D (Brady)

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State of Oregon vs.	Berry, Thomas L.	Jensen	Criminal	Trial	4/1/2003	Roseburg	D (Brady)
State of Oregon vs.	Stafney, Donald	Woram, Dan	Criminal	Trial	3/12/2003	oregon City	D (Brady)
Corkill, Roger vs.	City of Corvallis	Wagner	Civil	Trial	2/11/2003	Corvallis	D (Brady)
Hollick, est of Laura vs.	Feeney & Kadlec Med	Keefe, Dan	Civil	Trial	2/3/2003	Richland Washington	D (Brady)
State of Oregon vs.	Kergil, Kevin	woram	Criminal	Trial	2/2/2003	Oregon City	D (Brady)
State of Oregon vs.	Kennedy, Michael	Hill, David	Criminal	Trial	1/29/2003	Medford	
State of Washington vs.	Mallicoat, William J.	Clark, Suzan	Criminal	Trial	1/28/2003	Vancouver	D (Brady)
State of Washington vs.	Odion, Earl	Kastner, Craig	Criminal	Trial	1/3/2003	Seattle WA	D (Brady)
State of Oregon vs.	Knoke, Donald	Oldenkamp	Criminal	Trial	12/19/2002	Klamath Falls	D (Brady)
Zilko, Rodney estate vs.	Shipping Co.	Kohles	Civil	Depo and Trial	12/9/2002	Astoria	P (Brady)
State of Oregon vs.	Yancey, Charlie	Barker	Criminal	Trial	12/2/2002	Albany	D (Brady)
Andino vs.	Callahan	Whitworth	Civil	Trial	10/2/2002	Baker City	P (Brady)
Olson vs.	State of Oregon	Ferry, David	Criminal	Trial	9/10/2002	Malheur County Vale	D (Brady)
Furness, Rebecca Estate	Lively family	Eden (BHB)	Civil	Trial	9/2/2002	Pendleton	D (Brady)
Keeley, John vs.	Donald Tavern -	Daniel,Anderson	Civil	Trial	7/1/2002	Salem	P (Brady)
State of Oregon vs.	Hamilton, Michael	Jones, Jeff	Criminal	Trial	7/1/2002	Salem	D (Brady)
California vs.	Parker, Calvin	Gilzean	Criminal	Trial	6/27/2002	San Diego	D (Brady)
State of Oregon vs.	Kahut, Estlier Benita	Goffredi	Criminal	Trial	6/20/2002	Portland	D (Brady)

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State of Washington vs. Dangler, David		Hays	Criminal	Trial	6/18/2002	Longview	D (Brady)
State of Oregon vs. Allen Jr., William		Orf	Criminal	Trial	6/7/2002	Medford	D (Brady)
State of Oregon vs. Odle, Timothy		Delsman	Criminal	Trial	6/6/2002	Albany	D (Brady)
Brown estate vs. Washington State		Campiche	Civil	Deposition	6/4/2002	Seattle	P (Brady)
State of Oregon vs. Homolka, David		Vogt	Criminal	Trial	4/22/2002	Portland	D (Brady)
State of Oregon vs. Bryant, Jason		Veralrud, Greg	Criminal	Trial	4/11/2002	Eugene	D (Brady)
State of Oregon vs. Crosby, Karla		Parnickis	Criminal	Trial	3/4/2002	Portland	D (Brady)
State of Washington vs. Brown, Joyce		Foley	Criminal	Trial	2/2/2002	Cowlitz County	D (Brady)
State of Oregon vs. Allen Jr., William		Orf	Criminal	Trial	1/24/2002	Medford	D (Brady)
State of Oregon vs. Kennedy, Kenneth J.		Smith, Louny	Criminal	Trial	1/16/2002	Dalles	D (Brady)
State of Washington vs. Dolan, Duane		Pascoe	Criminal	Trial	12/6/2001	Vancouver	D (Brady)
Von Alexander Estate	Aero Sport Power	Ringo	Civil	Deposition	12/1/2001	Yamhill Co	P (Brady)
Norris vs. City of Scottsdale		Ortle, John	Civil	Deposition	10/12/2001	Arizona	P (Brady)
State of Washington vs. Ross, Benjamin		Smith, Michael	Criminal	Trial	10/3/2001	South Bend	P (Brady)
State of Oregon vs. Grimes, Fredly		Storkel	Criminal	Trial	9/18/2001	Salem	D (Brady)
Powell, Chas vs. Lovo, Matthew		Johnson, Wes	Civil	Deposition	9/10/2001	Lewis County WA	P (Brady)
Free vs. Autoliv & GM		Patterson	Civil	Deposition	9/1/2001	Pierce County WA	D (Brady)
Zahn vs. Bender		Hooster, David	Civil	Trial	8/1/2001	Hillsboro	D (Brady)

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<u>Plaintiff</u>	<u>Defendant</u>	<u>Attorney</u>	<u>Category</u>	<u>Testimony</u>	<u>Trial date</u>	<u>Location</u>	Called by: <u>P/D</u>
Peter McHugh vs.	KRS enterprises	Zeuthen	Civil	Trial	8/1/2001	Columbia County	P (Brady)
State of Oregon vs.	Baker, Steven	Hamallan	Criminal	Trial	7/25/2001	Portland	D (Brady)
William Mitchell vs.	Mt. Hood Meadows	Poschwitz, Brian	Civil	Trial	6/26/2001	Portland	P (Brady)
State of Washington vs. Folsom, Kollin		Schile	Criminal	Trial	6/6/2001	Vancouver	D (Brady)
State of Washington vs. Kinnaman		Menefee	Criminal	Trial	5/1/2001	Grays Harbor	P (Brady)
State of Oregon vs. Smith		Meeker, Jody	Child dependency	Trial	4/6/2001	Albany	D (Brady)
State of Oregon vs. Qualls, Crystin R.		Sabitt	Criminal	Trial	4/1/2001	Eugene	D (Brady)
State of Oregon vs. Cole, Larry Gene		Barker	Criminal	Trial	4/1/2001	Tillamook	D (Brady)
In the matter of Brittany R. Foster		Dials	Criminal	Trial	2/22/2001	Coos Bay	D (Brady)
State of Washington vs. Cervantes		Smith	Criminal	Trial	2/14/2001	South Bend	P (Brady)
Lehrman Estate vs. O'Hollaren		Skarstad	Civil	Trial	2/1/2001	Portland	P (Brady)
Part vs. CUINA Mutual		Brown	Civil	Deposition	2/1/2001	Kennebec	P (Brady)
Karl Jones vs. Reinhold Guttmiller		Wagner	Civil	Trial	1/16/2001	Multnomah Co.	D (Brady)
Mathers Estate vs. Kratka, Reed MD		Miller	Civil	Trial	1/1/2001	Eugene	P (Brady)
State of Oregon vs. Kennedy, Roderick		Sabitt, Mark	Criminal	Trial	12/13/2000	Corvallis	D (Brady)
State of Oregon vs. Woltersdorf		Knappenberger	Criminal	Trial	12/10/2000	Hillsboro	D (Brady)
Arritola vs. Old Barn Firestone		Pickett	Civil	Trial	12/1/2000	Portland	P (Brady)
Dawson, Gerald and	Auto Club Insurance	Stephenson BHB	Civil	Trial	11/1/2000	Klamath Falls	D (Brady)

William J. Brady, M.D.
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2006 Rate sheet

Review of autopsy reports, medical records and discovery materials. Phone, travel and meeting time with attorneys / investigators. Billed in 15 min. increments.	\$200/hr
Trial preparation and travel time.	\$200/hr.
Court or deposition testimony.	\$200/hr.
Daily maximum (trial or deposition and travel)	\$1600/day
Daily minimum (half day or less for trial or deposition or travel)	\$800